

City of Gardner, Massachusetts
Office of the City Council

CALENDAR FOR THE MEETING
of
TUESDAY, JANUARY 19, 2021

RECEIVED
2021 JAN 14 AM 11:50
CITY CLERK'S OFFICE
GARDNER, MA

REMOTELY*
7:30 P.M.

ORDER OF BUSINESS

- I. CALL TO ORDER
- II. CALL OF THE ROLL OF COUNCILLORS
- III. OPENING PRAYER
- IV. PLEDGE OF ALLEGIANCE
- V. ANNOUNCEMENT OF OPEN MEETING RECORDINGS

Any person may make a video or audio recording of an open session of a meeting, or may transmit the meeting through any medium, subject to reasonable requirements of the chair as to the number, placement and operation of equipment used so as not to interfere with the conduct of the meeting. Any person intending to make such recording shall notify the Chair forthwith. All documents and exhibits used or referenced at the meeting must be submitted in duplicate to the City Clerk, as they become part of the Meeting Minutes.

- VI. READING OF MINUTES OF PRIOR MEETING(S)

Reading and Approval of the Minutes of the January 4, 2021 Regular Meeting.

- VII. PUBLIC HEARINGS
- VIII. COMMUNICATIONS FROM THE MAYOR

APPOINTMENT

10385 - A Measure Confirming the Mayor's Appointment of Roland Jean Jr. to the position of Building Commissioner, for term expiring 1/17/2024
(Finance Committee)

ORDERS

10386 - A Measure Authorizing payment of prior year expenditure City Treasurer's Professional Fee (Finance Committee).

10387 - An Order Appropriating \$265,000.00 from Free Cash to Mayor's Unclassified Building Demo Account (Finance Committee).

IX. PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.

10388- A Measure Authorizing the Mayor to Execute Community Development Housing Rehabilitation Program Subordination for Case #11-293 (*Finance Committee*).

X. REPORTS OF STANDING COMMITTEES

FINANCE COMMITTEE

10381 – A Measure Confirming the Mayor’s Appointment of Ethan Kolodny to the position of Assistant City Solicitor for term expiring 1/3/2022 (*In City Council and Referred to Finance Committee, 1/04/2021*).

XI. UNFINISHED BUSINESS AND MATTERS FOR RECONSIDERATION

XII. NEW BUSINESS

XIII. CLOSING PRAYER

XIV. ADJOURNMENT

Items listed on the Council Calendar are those reasonably anticipated by the Council President to be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

**Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Gardner City Council will be conducted via remote participation and broadcast live on Gardner Educational Television, Channel 8, and on the City's YouTube Channel. The audio or video recording, transcript, or other comprehensive record of proceedings will be posted on the City's website as soon as possible after the meeting.*

**REGULAR MEETING OF JANUARY 4, 2021**

Regular Meeting of the City Council was held remotely on Monday evening, January 4, 2021.

CALL TO ORDER

City Clerk Alan Agnelli called the meeting to order at 7:30 o'clock p.m.

CALL OF THE ROLL

City Clerk Alan Agnelli called the Roll of Members. Eleven (11) Councillors were present including Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, Elizabeth Kazinskas, George Tyros, and James Walsh.

ELECTION OF THE COUNCIL PRESIDENT

Councillor Elizabeth Kazinskas announced that she would recuse herself on advice from the State Ethics Commission "as candidates [for Council President] are not allowed to vote for themselves. She then removed herself from meeting participation and from the Zoom screen.

Councillor Scott Joseph Graves announced that for the same reasons [as stated by Councillor Kazinskas], that he would be abstaining.

The City Clerk announced that nominations were in order for election of Council President for the year 2021.

Councillor George Tyros nominated Councillor Elizabeth J. Kazinskas.

In nominating Councillor Kazinskas, Councillor Tyros read loud the following prepared remarks:

Thank you, Mr. Clerk,

It is with pleasure that I nominate Elizabeth Kazinskas for Council President.

Since April, when she simultaneously took responsibility of Council President and Acting Mayor, Councillor Kazinskas has navigated the challenges of the current pandemic admirably and with distinction as a confident and proven leader that our City needs.

Councillor Kazinskas has established great relationships with City and State officials while maintaining her commitment and passion to the Community and constituents she serves.

Thank you.

REGULAR MEETING OF JANUARY 4, 2021

Councillor Ronald Cormier seconded the nomination of Councillor Kazinskas.

Councillor Scott Joseph Graves nominated Councillor Scott Joseph Graves and said that nominations do not require a second as he did not expect anybody to second it.

There being no further nominations, the City Clerk entertained a motion to close nominations.

On a motion by Councillor Judy Mack and seconded by Councillor Nathan Boudreau, on call of the roll, it was voted eleven (10) yeas, Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, George Tyros, and James Walsh; one (1) excused, Councillor Elizabeth Kazinskas, to close nominations.

On election, on call of the roll:

Councillor James S. Boone voting for SCOTT JOSEPH GRAVES
Councillor Nathan R. Boudreau voting ELIZABETH J. KAZINSKAS
Councillor Craig R. Cormier voting for ELIZABETH J. KAZINSKAS
Councillor Ronald F. Cormier voting for ELIZABETH J. KAZINSKAS
Councillor Aleksander H. Dernalowicz voting for ELIZABETH J. KAZINSKAS
Councillor Karen G. Hardern voting for ELIZABETH J. KAZINSKAS
Councillor Judy A. Mack voting for ELIZABETH J. KAZINSKAS
Councillor George C. Tyros voting for ELIZABETH J. KAZINSKAS
Councillor James M. Walsh voting for ELIZABETH J. KAZINSKAS

Having received 8 votes, Councillor Elizabeth J. Kazinskas was declared elected Council President.

President Kazinskas assumed the Chair and expressed appreciation to her colleagues for electing her to the Council Presidency.

OPENING PRAYER

President Kazinskas led the Council in reciting the Opening Prayer.

PLEDGE OF ALLEGIANCE

President Kazinskas led the Council in reciting the "Pledge of Allegiance".

REGULAR MEETING OF JANUARY 4, 2021

OPEN MEETING RECORDING & PUBLIC RECORDS ANNOUNCEMENT

President Kazinskas announced that pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Gardner City Council will be conducted via remote participation and broadcast live on Gardner Educational Television, Channel 8, and on the City's YouTube Channel. The audio or video recording, transcript, or other comprehensive record of proceedings will be posted on the City's website as soon as possible after the meeting. She added that since the meeting is being conducted via **Zoom**, that all votes taken would be by roll call and asked Councillors to raise their hands to be recognized.

READING & ACCEPTANCE OF MINUTES

On a motion by Councillor Ronald Cormier and seconded by Councillor James Walsh, on call of the roll, it was voted eleven (11) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, George Tyros, and James Walsh, to waive reading and to accept the Minutes of the Regular Meeting of December 21, 2020, as printed.

COMMUNICATIONS FROM THE MAYOR**APPOINTMENTS****#10381**

On a motion by Councillor James Walsh and seconded by Councillor Ronald Cormier, on call of the roll, it was voted eleven (11) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, George Tyros, and James Walsh, to refer to the Finance Committee for study and report *A Measure Confirming the Mayor's Appointment of Ethan Kolodny to the position of Assistant City Solicitor for term expiring January 3, 2022.*

PETITIONS, APPLICATIONS, COMMUNICATIONS, ETC.**#10382**

On a motion by Councillor Nathan Boudreau and seconded by Councillor Craig Cormier, on call of the roll, it was voted eleven (11) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, George Tyros, and James Walsh, to place on file *A Communication from the Mayor Relative to the Appointment of John M. Flick to the position of City Solicitor for term expiring 1/3/2022.*

REGULAR MEETING OF JANUARY 4, 2021

#10383

On a motion by Councillor James Boone and seconded by Councillor Nathan Boudreau, on call of the roll, it was voted eleven (11) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, George Tyros, and James Walsh, to place on file *A Communication from the Mayor Relative to the Appointment of Rachel J. Stephano to the position of Executive Secretary for term expiring 1/3/2022.*

Worcester, ss.

January 12, 2021

Then personally appeared **RACHEL J. STEPHANO** and made oath that she would faithfully and impartially perform the duties of **EXECUTIVE SECRETARY** according to law and the best of her abilities.

Before me,

/s/ Faith A. Glover, Assistant City Clerk

REPORTS OF STANDING COMMITTEES**FINANCE COMMITTEE****#10373**

Councillor Ronald Cormier informed the Council that at the December 15, 2020 meeting of the Finance Committee, it was voted to recommend adoption of the Order, in conjunction with Calendar measures #10377 and #10378. The Committee, he said, requested that written authorization for use of grant funds be obtained from MassDevelopment and then provided to the Council, which was received.

Councillor James Walsh moved to discharge the Measure from Committee and to pass the order.

Councillor Ronald Cormier seconded the motion.

On the motion, Councillor Scott Graves questioned the reason for discharging the Measure from Committee.

Councillor Walsh responded, saying that there is not a presently-constituted Finance Committee, so Councillor Ronald Cormier reported that the prior Committee recommended the Measure on December 15, 2020.

Councillor Graves expressed disagreement with the need to discharge the Measure from Committee.



REGULAR MEETING OF JANUARY 4, 2021

On the motion, on call of the roll, it was voted ten (10) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, , Karen Hardern, Judy Mack, George Tyros, and James Walsh; one (1) nay, Councillor Scott Joseph Graves, to discharge the Measure from Committee and to adopt the following Order:

AN ORDER APPROPRIATING FROM FREE CASH TO CAPITAL PROJECT – WILLOW/MAIN STREET PROPERTY ACCOUNT.

ORDER: That there be and is hereby appropriated the sum of One Hundred Twenty Thousand Dollars and No Cents (\$120,000.00) from Free Cash to Capital Project – Willow/Main Street Property Account.

Presented to Mayor for Approval – January 5, 2021

Approved – January 5, 2021

MICHAEL J. NICHOLSON, Mayor

#10377

Councillor Ronald Cormier moved to authorize the Mayor to purchase a certain parcel on Willow Street further identified on the City of Gardner Assessor's Map as MAP ID: M22-15-47 for \$65,000, from the Jonkit Realty Trust and upon such terms as the Mayor shall consider proper in accordance with this Vote.

Councillor James Walsh seconded the motion.

On the motion, Councillor James Boone expressed opposition, saying that the purpose isn't clear within the Urban Renewal Plan; that he asked for plans for use of the property, but without them, he cannot be sure that the property is needed.

Councillor Scott Graves stated that the City spent money on Rear Main Street and that project "was mothballed," adding that the \$120,000 to purchase this parcel would be better spent on developing Rear Main Street.

On the motion, on call of the roll, it was voted nine (9) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros, and James Walsh; two (2) nays, Councillors James Boone and Scott Joseph Graves, to adopt the following Measure:

AUTHORIZING THE CITY OF GARDNER TO PURCHASE
PROPERTY ON WILLOW STREET

VOTED: To authorize the Mayor to purchase a certain parcel on Willow Street further identified on the City of Gardner Assessor's Map as MAP ID: M22-15-47 for \$65,000, from the Jonkit Realty Trust and upon such terms as the Mayor shall consider proper in accordance with this Vote.

REGULAR MEETING OF JANUARY 4, 2021

Presented to Mayor for Approval – January 5, 2021

Approved – January 5, 2021

MICHAEL J. NICHOLSON, Mayor

#10378

Councillor Ronald Cormier moved to authorize the Mayor to purchase 205-213 Main Street further identified on the City of Gardner Assessor's Map as MAP ID: M22-15-49 for \$135,000, from the H. J. and J. L. Rome Realty Trust and upon such terms as the Mayor shall consider proper in accordance with this Vote.

Councillor James Walsh seconded the motion.

On the motion, Councillor James Boone questioned if the City obtained a property appraisal.

Councillor James Walsh responded, saying that the Council received only the assessed value from the City Assessor.

Councillor Boone reiterated his concern that the Council has not received plans for use of the property.

On the motion, on call of the roll, it was voted nine (9) yeas, President Elizabeth Kazinskas and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Karen Hardern, Judy Mack, George Tyros, and James Walsh; two (2) nays, Councillors James Boone and Scott Joseph Graves, to adopt the following Measure:

AUTHORIZING THE CITY OF GARDNER TO PURCHASE 205-213 MAIN STREET

VOTED: To authorize the Mayor to purchase 205-213 Main Street further identified on the City of Gardner Assessor's Map as MAP ID: M22-15-49 for \$135,000, from the H. J. and J. L. Rome Realty Trust and upon such terms as the Mayor shall consider proper in accordance with this Vote.

Presented to Mayor for Approval – January 5, 2021

Approved – January 5, 2021

MICHAEL J. NICHOLSON, Mayor

NEW BUSINESS

Councillors extended congratulations to Council President Kazinskas on her re-election to the Presidency for another term.

Council President Kazinskas expressed her appreciation to her colleagues for their support, guidance, and hard work.

REGULAR MEETING OF JANUARY 4, 2021

#10384

Council President Kazinskas proposed that, on the occasion of his retirement, a *Letter of Appreciation* be sent to City Clerk Alan Agnelli for his many years of service

Councillor James Walsh moved to authorize the Council President to see a *Letter of Appreciation* to retiring City Clerk Alan Agnelli for his many years of dedicated service to the City of Gardner.

Councillor Judy Mack seconded the motion.

Councillors offered their personal congratulations and best wishes to Mr. Agnelli.

On the motion, on call of the roll, it was voted eleven (11) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, George Tyros, and James Walsh, to authorize the Council President to see a *Letter of Appreciation* to retiring City Clerk Alan Agnelli for his many years of dedicated service to the City of Gardner.

CLOSING PRAYER

President Kazinskas led the Council in the Closing Prayer.

ADJOURNMENT

On a motion by Councillor Nathan Boudreau and seconded by Councillor James Boone, on call of the roll, it was voted eleven (11) yeas, President Elizabeth Kazinskas and Councillors James Boone, Nathan Boudreau, Craig Cormier, Ronald Cormier, Aleksander Dernalowicz, Scott Joseph Graves, Karen Hardern, Judy Mack, George Tyros, and James Walsh, to adjourn at 8:05 p.m.

Accepted by the City Council:

RECEIVED

January 17, 2021

2021 JAN -7 AM 5

Commonwealth of Massachusetts

Worcester County

CITY CLERKS OFFICE
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint **Roland Jean, Jr.** to the position of **Building Commissioner,** and I certify
13 Daniel Shays Highway, New Salem, MA
that in my opinion he/she is a person specially fitted by education, training, or experience to perform the
duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor
Michael J. Nicholson

Confirmed by City Council _____

Titi Siriphan
City Clerk

Expires: January 17, 2024

Worcester, ss., _____

Then personally appeared the above named **Roland Jean, Jr.** and made oath that he/she
would faithfully and impartially perform the duties of the office of **Building Commissioner**
according to law and the best of his/her abilities.

Before me,

City Clerk

Chapter 303 Acts of 1975
and
Chapter 409 Acts of 1983

Received _____

AUTHORIZING PAYMENT OF PRIOR
YEAR EXPENDITURE

VOTED: To authorize payment of prior year expenditure. -
Account for prior years, as follows: -

| | | | |
|--------|----------------------------|---------|---|
| FY2020 | City Treasurer's Prof. Fee | \$49.21 | - |
|--------|----------------------------|---------|---|

10386

City of Gardner, *Executive Department*



Michael J. Nicholson, Mayor

January 7, 2021

Hon. Elizabeth J. Kazinskas, President
And City Councilors
Gardner City Hall, Rm 121
95 Pleasant St
Gardner, MA 01440

RECEIVED
2021 JAN -7 AM 11:21
CITY CLERK'S OFFICE
GARDNER, MA

RE: Unpaid Bill from FY2020

Dear President Kazinskas and Councilors,

The Treasurer's Office has been notified of a bill that was originally emailed to a City employee after their employment with the City has ended, resulting in the bill not being paid.

While the amount on the bill is rather menial, since the bill was for an expense from a previous fiscal year, it requires a two-thirds vote of the City Council in order to pay the bill.

Respectfully Submitted,

Michael J. Nicholson
Mayor, City of Gardner

10386



CITY OF GARDNER
TREASURER/COLLECTOR'S DEPARTMENT

Jennifer A. Dymek, Treasurer / Collector
95 Pleasant Street, Room 116
Gardner, MA 01440
Tel: 978-630-4016 * Fax: 978-630-2520

TO: Mayor Michael Nicholson
FR: Jennifer Dymek
Treasurer/Collector
DT: November 18, 2020
RE: Prior Fiscal Year Invoice

The City utilizes PACER.gov to research bankruptcy filings. Fees associated with that service are \$0.10 per page and \$2.40 per audio file. If searches during a quarter are under \$15.00, all fees are waived.

In August of 2019, several searches were performed and it triggered an invoice of \$41.90. The invoice was generated but was emailed to an employee who left in 2016. Therefore, we never received any notice of an outstanding amount due. Our ability to search in PACER has been suspended until the invoice is paid.

I am requesting permission to pay the FY20 invoice (attached) from FY21 funds. The PACER website has been updated to current staff information so this issue should not happen in the future.

2/3
Voucher # 16312
11145-52190

10386



PACER

Public Access to Court Electronic Records

INVOICE

Invoice Date: 10/07/2019

Usage From: 07/01/2019

to: 09/30/2019

Account Summary

Pages: 419
 Rate: \$0.10
 Subtotal: \$41.90

Audio Files: 0
 Rate: \$2.40
 Subtotal: \$0.00

Current Billed Usage: \$41.90

Previous Balance: \$0.00
Current Balance: \$41.90

Account #: 3843830
Invoice #: 3843830-Q32019
Due Date: 11/12/2019
Amount Due: \$41.90

Contact Us

San Antonio: (210) 301-6440
 Toll Free: (800) 676-6856
 Hours: 8 am - 6 pm CT M-F
 pacer@psc.uscourts.gov

See pacer.gov/billing for detailed billing transactions, instructions for disputing transactions, FAQs, and more.

It's quick and easy to pay your bill online with a credit card. Visit the **Manage My Account** section of the PACER Service Center website at pacer.gov.

The PACER Federal Tax ID is:
74-2747938

Questions about the invoice?
 Visit pacer.gov/billing

Total Amount Due: → \$41.90

Seven More Courts Convert to NextGen CM/ECF

During the third quarter of 2019, seven more courts implemented the next generation case management/electronic case files (NextGen CM/ECF) system. To date, 60 courts have converted, and more will follow in the coming months. For more information and updates on NextGen conversion, please continue to check your court's website. Below is a list of the most recent NextGen courts:

- Guam Bankruptcy Court
- Michigan Western District Court
- Missouri Eastern Bankruptcy Court
- New Mexico Bankruptcy Court
- Oklahoma Eastern District Court
- Oklahoma Northern District Court
- U.S. Court of Federal Claims

Please detach the coupon below and return with your payment. Thank you!



PACER

Public Access to Court Electronic Records

Account #

3843830

Due Date

11/12/2019

Amount Due

\$41.90

Do not send cash. Make checks or money orders drawn on a U.S. Bank in U.S. dollars payable to: PACER Service Center. Include your account ID on the check or money order.

Visit pacer.gov for address changes.

City of Gardner
 Charline Daigle
 95 Pleasant Street
 Gardner, MA 01440

U.S. Courts: PACER
 P.O. Box 5208
 Portland, OR 97208-5208

BILLING HISTORY

Close

Detailed Transaction Report by Date
All
from 07/01/2019 to 09/30/2019

Wed Nov 18 08:07:04 CST 2020
 Cdalgle1954

Back New Search

| Billing Transactions | | | | | | | |
|----------------------|----------|----------|--------------------------------|-------------|-------------------------|--|---------------|
| Date | Time | Pages | Court | Client Code | Description | Search | Cost |
| 08/08/2019 | | | | | | | |
| 08/08/2019 | 14:41:20 | 5 | MABK | | IMAGE29016354-1 | 19-41148 DOCUMENT 29016354-1 | \$0.50 |
| 08/08/2019 | 14:46:14 | 2 | MABK | | IMAGE29016409-1 | 19-41158 DOCUMENT 29016409-1 | \$0.20 |
| Subtotal: | | 7 | pages | | | | \$0.70 |
| | | 0 | audio files (\$2.40 ea) | | | | \$0.00 |
| | | | | | | | \$0.70 |
| 08/22/2019 | | | | | | | |
| 08/22/2019 | 10:34:29 | 1 | MABK | | CASES FILED RPT | OFC: 4 ATTORNEY: ALL FILE FR: 8/1/2019 FILE TO: 8/22/2019 OPEN CASES: INCLUDED FORMAT: FORMATTED NAT OF DEBT: 0 COUNTY: WORCESTER-MA | \$0.10 |
| 08/22/2019 | 12:55:22 | 1 | 00PCL | | BANKRUPTCY PARTY SEARCH | ALL COURTS; NAME GARDNER; JURISDICTION BK; SSN 046001389; COURT ID MA; CHAPTER 7, 13 | \$0.10 |
| 08/22/2019 | 12:56:12 | 1 | 00PCL | | BANKRUPTCY PARTY SEARCH | ALL COURTS; NAME GARDNER, CITY OF; JURISDICTION BK; SSN 046001389; COURT ID MA; DATE FILED 01/01/2019 TO 08/22/2019; CHAPTER 7, 13 | \$0.10 |

| | | | |
|--------------|-----|-------------------------|---------|
| Grand Total: | 419 | pages | \$41.90 |
| | 0 | audio files (\$2.40 ea) | \$0.00 |
| | | | \$41.90 |

| Date | Time | Pages | Court | Client Code | Description | Search | Cost |
|---------------------|----------|------------|--------------------------------|-------------|------------------------------|---|----------------|
| 08/22/2019 | 12:56:31 | 1 | 00PCL | | BANKRUPTCY PARTY SEARCH | ALL COURTS; NAME GARDNER, CITY OF; JURISDICTION BK; SSN 046001389; SSN4 1389; COURT ID MA; DATE FILED 01/01/2019 TO 08/22/2019; CHAPTER 7, 13 | \$0.10 |
| 08/22/2019 | 12:56:54 | 1 | 00PCL | | ALL COURT TYPES PARTY SEARCH | ALL COURTS; SSN 046001389; ALL COURTS; JURISDICTION BK | \$0.10 |
| 08/22/2019 | 13:58:55 | 402 | MADC | | SEARCH | FILED FROM: 1/1/2017 FILED TO: 8/22/2019 | \$40.20 |
| 08/22/2019 | 14:02:18 | 3 | MADC | | SEARCH | NOS: 422 FILED FROM: 1/1/2017 FILED TO: 8/22/2019 | \$0.30 |
| 08/22/2019 | 14:03:56 | 1 | MABK | | SEARCH | LNAME: GARDNER TYPE: CC FILED FROM: 7/23/2019 FILED TO: 8/22/2019 | \$0.10 |
| 08/22/2019 | 14:06:42 | 1 | MABK | | CASES FILED RPT | OFC: 4 ATTORNEY: ALL FILE FR: 8/22/2019 FILE TO: 8/22/2019 OPEN CASES: INCLUDED FORMAT: FORMATTED COUNTY: WORCESTER-MA | \$0.10 |
| Subtotal: | | 412 | pages | | | | \$41.20 |
| | | 0 | audio files (\$2.40 ea) | | | | \$0.00 |
| | | | | | | | \$41.20 |
| Grand Total: | | 419 | pages | | | | \$41.90 |
| | | 0 | audio files (\$2.40 ea) | | | | \$0.00 |
| | | | | | | | \$41.90 |

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 pacer@psc.uscourts.gov

CITY OF GARDNER

DEPARTMENT OF COMMUNITY DEVELOPMENT AND PLANNING



December 28, 2020

President Elizabeth Kazinskas, Finance Committee Chair
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Dear President Kazinskas:

As part of the Community Development Block Grant housing rehabilitation lien process, the City routinely places a mortgage on a property to secure the amount of the deferred payment loan. It is standard policy that the City's liens take a secondary position to other mortgages when the value of the rehabilitated property will support such mortgages.

The property owner is in the process of refinancing their property. As the mortgage company involved would like to retain first position on the title, a Subordination Agreement is being submitted for Mayor Michael J. Nicholson's signature.

As it requires a vote by the City Council authorizing the Mayor to execute this agreement, upon approval by the Finance Committee, I respectfully request that the Council approve the attached resolution pertaining to a subordination request.

Sincerely,

Jeffrey Legros
Assistant Director

Enc.

RESOLUTION

WHEREAS, in the opinion of the City Council of the City of Gardner that the intent and purpose of the Community Development Housing Rehabilitation Program is to maintain safe, affordable housing units for low to moderate income families by financially assisting owners of such properties, it is therefore resolved that:

The Mayor is duly authorized to execute the Subordination for case #11-293 in amount of \$26,000.00 subject to review and approval as to form by the City Solicitor. The term of the loan is 15 years expiring on November 13th, 2028.

CITY OF GARDNER

DEPARTMENT OF COMMUNITY DEVELOPMENT AND PLANNING



June 26, 2017

President Ronald Cormier, Finance Committee Chair
Gardner City Hall
95 Pleasant Street
Gardner, MA 01440

Dear President Cormier:

As part of the Community Development Block Grant housing rehabilitation lien process, the City routinely places a mortgage on a property to secure the amount of the deferred payment loan. It is standard policy that the City's liens take a secondary position to other mortgages when the value of the rehabilitated property will support such mortgages.

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Sincerely,

Jeffrey Legros
Assistant Director

Enc.

10381

RECEIVED

Effective: January 3, 2021

2020 DEC 23 AM 8:42

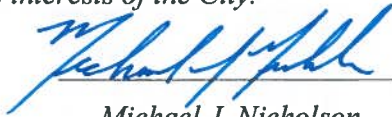
Commonwealth of Massachusetts

Worcester County
CITY CLERK'S OFFICE
GARDNER, MA

City of Gardner

CERTIFICATE OF APPOINTMENT

I appoint Ethan Kolodny to the position of Assistant City Solicitor, and I certify
144 Central Street, Gardner, MA (978-632-7948)
that in my opinion he/she is a person specially fitted by education, training, or experience to perform the
duties of said office, and that I make the appointment solely in the interests of the City.

 Mayor
Michael J. Nicholson

Confirmed by City Council _____.

City Clerk
Alan L. Agnelli

Expires: January 3, 2022

Worcester, ss., _____

Then personally appeared the above named Ethan Kolodny and made oath that he/she
would faithfully and impartially perform the duties of the office of Assistant City Solicitor
according to law and the best of his/her abilities.

Before me,

City Clerk

Chapter 303 Acts of 1975
and
Chapter 409 Acts of 1983

Received _____